IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928

WP(C).No. 26644 of 2006(V)

PETITIONER:

JOHNSON C.C., AGED 38 YEARS,
S/O. Y.CHACKO, RESIDING AT PUNNAVILA PUTHENVEEDU,
POOYAPPALLY, KOLLAM DISTRICT.
(PETITIONER WORKING AS PC.E-8109, RAILWAY POLICE
STATION, ERNAKULAM).

BY ADV. SRI.A.X.VARGHESE
SRI.A.V.JOJO

RESPONDENTS:

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1. SUPERINTENDENT OF POLICE,
RAILWAYS, THIRUVANANTHAPURAM.

2. COMMISSIONER OF POLICE,
ERNAKULAM CITY.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C)No. 26644 OF 2006 V
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Dated this the 11th December, 2006

J U D G M E N T

The petitioner has since filed the form of option rectifying the mistakes vide Ext. P9. This was done pursuant to Ext. P8 communication sent by the Superintendent of Police to the petitioner. He has opted the revised scale of pay of Rs. 7480-11910 with effect from 26-7-2004.

2. Govt. Pleader, on instruction, submits that the revised form of option as per Ext. P9 has been accepted, the pay of the petitioner has been fixed on Rs.7820/- in the pay scale of Rs.7480-11910 with effect from 26-7-2004. Based on the fixation statement, the respondents have taken steps to work out the arrears of emoluments due to the petitioner.

3. Counsel for the petitioner submits that this Court may direct the respondents to disburse the arrears within a time frame.

4. In the circumstances, recording the submission

made by the Govt. Pleader that Ext. P9 has been accepted and that the pay has been fixed at Rs.7820/- with effect from 26-7-2004, there shall be an order directing the respondents to disburse the arrears of emoluments due to the petitioner consequent thereon within two months from the date of receipt of a copy of the judgment.

5. One other request made by the petitioner before the respondents is for the grant of higher grade to him in the pay scale of Head Constable as he has completed 10 years service in the lower category and has passed the Head Constable test also in the year 2000. The 1st respondent shall consider Ext. P1 and take decision on the request of the petitioner for the grant of higher grade based on the service details furnished to him as borne out from the records. This shall be done within one month from the date of receipt of a copy of the judgment. Needless to state that based on the order to be passed on Ext. P1, whatever benefits are found due to the petitioner shall be granted to him and amounts thereof disbursed without delay.

The petitioner shall produce a copy of the judgment along with a copy of the writ petition before the 1st respondent for information and compliance.

K.K. DENESAN
JUDGE

jan/